

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

HENRY BOYNES,

Plaintiff,

v.

COUNTY OF LAWRENCE, DR. JOHN
DOE, NURSE FRAN, NURSE ROXANNE
and PRIMECARE MEDICAL, INC,

Defendants.

Civil Action No. 2:15-cv-00139-CRE

MAGISTRATE JUDGE CYNTHIA REED EDDY

ELECTRONICALLY FILED

JOINT PROPOSED CASE MANAGEMENT ORDER

AND NOW this ____ day of February, 2016, IT IS HEREBY ORDERED that this action is placed under Local Rule 16.1 for pretrial proceedings and all provisions of the Rule will be strictly enforced. Pursuant to Local Rule 16.1, the parties are directed as follows:

1. The parties shall move to amend the pleadings or add new parties by May 3, 2016. (*no later than 60 days before the close of discovery*).
2. The parties shall complete fact discovery by July 2, 2016. (*no later than 150 days from Initial Case Management Conference if parties have chosen mediation or early neutral evaluation, 120 days if they have chosen arbitration*) All interrogatories, depositions and requests for admissions and/or production of documents shall be served within sufficient time to allow responses to be completed prior to the close of fact discovery.
3. Plaintiffs' Expert Report due on or before June 2, 2016. (*no later than 120 days after initial case management conference*)

Defendant's Expert Report due on or before June 23, 2016. (*no later than 140 days after initial case management conference*)

Depositions of all experts shall be on or before July 2, 2016. (*no later than 150 days after initial case management conference*)

4. The parties shall complete the ADR process they selected by April 3, 2016. (*no later than 60 days from Initial Case Management Conference if the parties have chosen mediation or early neutral evaluation, 90 days if they have chosen arbitration*)
5. Procedures Following Inadvertent Disclosure (“Clawback”): Pursuant to Local Rule CvR 16.1(D), and to aid in the implementation of Fed. R. Evid. 502, the following is ordered in the event of an inadvertent disclosure of any privileged or trial preparation/attorney work product material:
 - (a) The producing party shall promptly notify all receiving parties of the inadvertent production of any privileged or trial preparation material. Any receiving party who has reasonable cause to believe that it has received privileged or trial preparation material shall promptly notify the producing party.
 - (b) Upon receiving notice of inadvertent production, any receiving party shall immediately retrieve all copies of the inadvertently disclosed material and sequester such material pending a resolution of the producing party’s claim either by the Court or by agreement of the parties.
 - (c) If the parties cannot agree as to the claim of privilege, the producing party shall move the Court for a resolution within 30 days of the notice set forth in subparagraph (a). Nothing herein shall be construed to prevent a receiving party from moving the court for a resolution, but such motion must be made within the 30-day period.
6. The Court will conduct a post-discovery status/settlement conference on _____ at _____ AM/PM (*leave blank – to be set at initial case management conference*) in the Chambers

of United States Magistrate Judge Cynthia Reed Eddy, Suite 10160 U.S. Post Office and Courthouse, 700 Grant Street, Pittsburgh, Pennsylvania. Trial counsel shall attend and the parties shall be available by phone. Counsel must fax to 412-208-7583, or e-mail to chambers, updated confidential position letters on or before _____ (*three business days prior to the conference*).

IT IS FURTHER ORDERED that counsel shall confer with their clients prior to all case management, status or pretrial conferences to obtain authority to participate in settlement negotiations to be conducted by the Court. Counsel are encouraged to instruct the principals to be available by telephone to facilitate the amicable resolution of all litigation.

By the Court:

Cynthia Reed Eddy
United States Magistrate Judge

cc: all counsel of record